

# OUTREACH AND ADVOCATE EXCHANGE

## SOUTH CAROLINA ATTORNEY GENERAL'S OFFICE South Carolina Crime Victim Services Division



**Second Quarter  
October - December 2019**

### Reflections

By Director Burke Fitzpatrick

As we approach the end of the year it's time for us to reflect and give thanks. For the Crime Victim Services Division, we need to give thanks to you: the Victim Advocates and others who serve victims and survivors throughout South Carolina. You are why we exist and we understand that our mission is to serve the victim service provider community. So, we give thanks to the brave and compassionate people in every corner of South Carolina who help victims and survivors heal and seek justice.

We are closing out the year reflecting on the progress we've made and the road ahead. I'm proud of what we've accomplished, but also recognize that we can do better in nearly every area. For example, our new grants management information system, AGO Grants, is not perfected (perhaps an understatement). But, we now have a software developer devoted to improving the system and he is working closely with our staff and the AGO IT staff every day. We'll get there, promise.

Similarly, one of our biggest goals next year is to replace our antiquated Compensation and Certification software systems.

We want to give victim advocates the ability to instantly access information in these systems via our web portal instead of going through staff in many situations. That will speed up your inquiries into the status of compensation cases and advocate certification hours tremendously. I think that by this time next year we will be rolling out the new systems.

Regarding grants, all fifty states are busy drafting four-year Violence Against Women Act (VAWA) strategic plans to be eligible for future federal awards. We plan to send a survey out in the next sixty days to many advocates asking for your views on the future of the VAWA program. If you want to make sure you have an opportunity to be heard, email Ginger Dukes on our staff at [Gdukes@scag.gov](mailto:Gdukes@scag.gov). Ginger will send you a survey when it becomes available.

Also relating to the grants office is a notable departure from our fiscal staff. Grants Fiscal Manager Daphne Shook has resigned from the AGO and has accepted a position with the SC Enterprise System (SCEIS) in the Dept. of Administration. Daphne was instru-

mental in the transition of our victims of crime grant programs from the Department of Public Safety to the Attorney General's Office. She also provided much of the leadership in the development of our new AGO Grants system. We will miss Daphne and wish her all the best in her new position.

Finally, on a personal note I must say that it has been the honor of my career to lead the Crime Victim Services Division under Attorney General Alan Wilson. To be able to support and serve the victim of crime provider community makes this the best and most gratifying job I've ever had. I wish you all a joyous holiday season and a Happy New Year!



### DID YOU KNOW?

#### January:

Is National Human Trafficking Awareness Month

#### February:

American Heart Month

#### March:

Brain Injury Awareness Month

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### South Carolina Law Enforcement Division

#### Receiving Amber Alerts

You can receive geographically targeted AMBER Alerts using any of the following authorized content providers.

These methods of distribution assist in the overall goal of the AMBER Alert program – to immediately notify as many people as possible about recent child abductions, and provide them with information that can help in the search for the abducted child, suspected abductor, and/or suspected vehicle.



Simply go to **AMBER Alert Facebook** page at [facebook.com/amberalert](https://facebook.com/amberalert) and "Like" your state under the AMBER Pages tab. You can also receive AMBER Alerts from outside your area by clicking "Like" for additional states.



Phone - Use the [Amber Alert iPhone App](#) to receive AMBER Alerts on your iPhone

Learn more about the [AMBER Alert™ Program](#).

For additional information go to [www.sled.sc.gov](http://www.sled.sc.gov)

## Happier Holiday Suggestions from the Crime Victim Ombudsman by Deputy Director Veronica Swain Kunz

### Coping with the Holidays – Ideas from Survivors via OVC

Many among us have struggled with the cloud of sadness that may surround the holidays when a friend or family has experienced a tragedy such as a sudden violent death or a serious physical or emotional injury. The onslaught of holiday cheer may seem too much to bear. Holidays may give rise to new or returning bouts of depression, panic attacks, and other forms of anxiety for those whose lives have been affected. Victims of crime, family members, friends, and work colleagues may re-experience life-changing traumas through flashbacks, nightmares, and overwhelming sadness. Some have trouble sleeping, while others don't want to get out of bed. Tears may come easily, often when least expected. Old ailments, including headaches, gastrointestinal problems, and other aches and pains may return.

Many victims and families, however, have found that holidays can be manageable if *they take charge of the season*, rather than *letting it take charge of them*.

Families who have made this difficult journey offer some suggestions to help those who may be just starting down this path.

<https://www.ovc.gov/publications/holidaytips/suggestions.html>

### Nine Ways to Promote Gratitude in Your Life

As Advocates, we are constantly faced with people living with terror, stress, anger and confusion. We have lots of pain surrounding us every day. It is so easy to understand how and why we get burned out ... and when we do, it shows. It shows up in the way we treat others and in the way we treat ourselves.

According to Sonja Lyubomirsky, PhD, *gratitude* boosts our happiness levels. Gratitude helps us savor positive life experiences; bolsters our self-worth and self-esteem; helps us cope with stress and trauma; diminishes negative emotions and helps us adjust to new situations.

We found the nine ways listed in the article below to be really useful for us, especially since our work lives reveal some of the worst pain humans can endure. *Gratitude* is the key to the endurance of our spirit as we work to help others, and we hope you find them useful.

<https://psychcentral.com/blog/9-ways-to-promote-gratitude-in-your-life/>

Remember, we are here to help YOU, Advocates! Please give us a call if you feel overwhelmed and need someone to talk to ... we love to listen and commiserate! We love you all, and are so very grateful for the sacrifices you make, and for your giving spirit.

Happy Holidays to All! Merry Christmas, Happy Hanukkah, Happy Kwanzaa and Joyous Boxing Day!

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#### Excerpts from

[www.healthfinder.gov](http://www.healthfinder.gov)

Heart disease is the leading cause of death for men and women in the United States. Every year, 1 in 4 deaths are caused by heart disease. The good news? Heart disease can often be prevented when people make healthy choices and manage their health conditions. Communities, health professionals, and families can work together to create opportunities for people to make healthier choices.

Make a difference in your community: Spread the word about strategies for preventing heart disease and encourage people to live heart healthy lives.

#### How can American Heart Month make a difference?

We can use this month to raise awareness about heart disease and how people can prevent it — both at home and in the community.

\*Encourage families to make small changes, like using spices to season their food instead of salt.

\*Motivate teachers and administrators to make physical activity a part of the school day. This can help students start good habits early.

\*Ask doctors and nurses to be leaders in their communities by speaking out about ways to prevent heart disease.

## Update on AGO Grants and Future Funding

by Deputy Director BJ Nelson

### Department of Crime Victim Assistance Grants (DCVAG)

The Department of Crime Victim Assistance Grants (DCVAG) is hard at work making updates and improvements to the new AGO Grants System. Recently, the office was able to hire a full-time, in-house software developer dedicated to the AGO Grants project, which should quickly improve and enhance the system in the coming months.

After the FY2019 grants started up on October 1, staff began focusing on preparations for the 2020 funding cycle. Under current plans, an announcement regarding the availability of funds will be made in January

with a statewide grant proposal solicitation workshop scheduled for February 7th at 10:00 am. It will be held on the first floor of the Blatt Building (on Assembly and Pendleton Streets) on the State House complex. Opening remarks will be delivered by Attorney General Alan Wilson. After this workshop, the 2020 application period will begin.

Staff is also closely monitoring the potential for another significant decrease in Victims of Crime Act (VOCA) federal funding for 2020. This year, funding decreased from a high of \$50.8 million in 2018 to just over \$34.7 million. The 2020 funding levels could decrease

even further, which could impact grant projects beginning October 2020 and beyond. Staff is making contingency plans for multiple funding scenarios in anticipation of final federal appropriations for this fiscal year. We welcome any questions on these issues and inquiries should be directed to Deputy Director BJ Nelson at [Bnelson@scag.gov](mailto:Bnelson@scag.gov) or 803-734-0791.



## It's the most wonderful time of the year

by Deputy Director Kim Hamm

### Department of Crime Victim Services Training, Provider Certification, and Statistical Analysis (CVST)

The end of the year often brings about a last minute push to get VSP hours in order to meet annual training requirements. You don't want to end up on the naughty list!

**Here are some tips to get your VSP training hours in before 2019 comes to a close:**

***Did you know you can receive up to 6 hours of VSP credit annually for being a presenter at a CVST approved training?*** Presenters should sign designated Presenter Sign-Out sheets. Note that presenters cannot receive credit for the same course presented more than once per year.

***Did you know we post approved VSP trainings (upon request) to our website?*** Please visit [cvst.scag.gov](http://cvst.scag.gov) to view upcoming training opportunities. You can also request your trainings to be posted while submitting your training [accreditation application](#).

***Did you know you can receive VSP hours for trainings that were not pre-approved through CVST?*** It's true! Submit a [Non-Accredited Certification Request \(NACR\) application](#) with applicable documentation to demonstrate appropriate training content, eligible training hours, and prove attendance within 30 days after the training has

concluded. NACRs are accepted for both in-person and web-based training with appropriate documentation.

***Did you know you can carry forward hours if you obtain more than the annual training requirement?*** Overachievers rejoice! VSPs can carry forward up to 12 hours of VSP credit to the subsequent calendar year.

To learn more about CVST, check out our new website at [cvst.scag.gov](http://cvst.scag.gov).

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### Excerpts from the Mayo Clinic

([www.mayoclinic.org](http://www.mayoclinic.org))

#### Overview

Traumatic brain injury usually results from a violent blow or jolt to the head or body. An object that penetrates brain tissue, such as a bullet or shattered piece of skull, also can cause traumatic brain injury.

Mild traumatic brain injury may affect your brain cells temporarily. More-serious traumatic brain injury can result in bruising, torn tissues, bleeding and other physical damage to the brain. These injuries can result in long-term complications or death. mammogram.

#### Symptoms

Traumatic brain injury can have wide-ranging physical and psychological effects. Some signs or symptoms may appear immediately after the traumatic event, while others may appear days or weeks later.

The signs and symptoms of mild traumatic brain injury may include:

#### Physical symptoms

- Loss of consciousness for a few seconds to a few minutes
- No loss of consciousness, but a state of being dazed, confused or disoriented
- Headache
- Nausea or vomiting
- Fatigue or drowsiness
- Problems with speech
- Difficulty sleeping
- Sleeping more than usual
- Dizziness or loss of balance

## Appealing a Claim Denied by DCVC

by Deputy Director D. Scott Beard

### Department of Crime Victim Compensation (DCVC)

#### Why DCVC claims may be denied and how they may be Appealed

The South Carolina law that created compensation benefits for crime victims also created a means for appeal when those benefits are denied under that law. The law guiding appeals is located in the South Carolina Code of Laws Section 16-3-1140. Approximately 95% of DCVC claims are determined to be eligible. Claims determined by the DCVC staff to be ineligible may be appealed to the DCVC Advisory Board.

All claims for benefits are processed and reviewed for eligibility under South Carolina Code of laws Section 16-3-1110 et seq. by the DCVC staff. DCVC claims may be denied for the following statutory reasons (followed by the statutory provision for each denial reason):

- The crime did not occur in the state of South Carolina - 16-3-1210
- The claimant does not qualify under the definition of a victim -16-3-1110
- No crime was committed - 16-3-1170
- The crime was not reported within 48 hours. (the law allows this provision to be waived for good cause) - 16-3-1170B
- The claimant failed to Cooperate with Law enforcement or DCVC - 16-3-1170
- The claimant engaged in conduct that contributed to their victimization - 16-3-1200
- The claimant committed or aided in the commission of

the crime upon which the claim is based or engaged in other unlawful activity which contributed to or aggravated the resulting injury. A denial under this provision also results in the denial of any dependent claims - 16-3-1220

- The victim must apply to DCVC within 4 years of the crime unless at a date later than 4 years, they are diagnosed with an injury related to the incident and all other eligibility requirements are met. This is called a diagnosed manifestation of injury - 16-3-1230
- The claimant/victim was incarcerated at the time of crime - 16-3-1310

While the claim may be eligible on its face, the victim must also meet certain minimum guidelines such as \$100 minimum out of pocket loss, or minimum of 2 consecutive weeks out of work for lost wages, or there is some other source to pay for the loss since DCVC is the payer of last resort - 16-3-1180 & 16-3-1190

Also, the DCVC staff may administratively close a claim "in house" if after several requests necessary documentation is not provided. A law enforcement report is required for all compensation claims. Other documentation may also be required to document losses that the victim/claimant is requesting to be compensated. A closed claim can be reopened at any time with submission of the required documentation.

For a claim to be found ineligible, DCVC staff must tie the denial to one of the specific statutory provisions outlined above.

The process for determining a claim to be ineligible is thorough and proceeds as follows:

- Once the DCVC eligibility analyst gathers the facts, the claim is staffed by the eligibility department where a recommendation for an award or denial is made. If the recommendation is for denial;
- From there the claim is staffed with the Deputy Director who must sign off on the denial;
- Once the Deputy Director signs off on the denial a letter is sent to the claimant explaining why the claim was denied along with the specific law under which the decision was made. Along with the letter, the staff sends an appeal form along with information on how the claimant can appeal.
- Upon receipt of the letter, the claimant has 30 days to appeal the decision. If the claim is not appealed within 30 days, the decision becomes final

The DCVC Crime Victim Advisory Board which hears appeals was created under South Carolina Code of Laws Section 16-3-1160. The Advisory Board is made up of 11 members who are appointed by the Attorney General. The Advisory Board reviews the claimant's appeal, as well as all supporting documents and any documents provided by the claimant who is making the appeal.

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### Senior Legal Assistance

Under Title III-B of the Older Americans Act mandates, the South Carolina Department on Aging funds the provision of legal assistance through the various Area Agencies on Aging throughout the state. Legal assistance means legal advice and representation. In South Carolina, that assistance must be provided by an attorney. Legal Assistance can be provided to older individuals (60 years of age and older) within the state who are of greatest economic or social need (with particular attention to low-income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas).

### Partnerships

The South Carolina Department on Aging has long-standing partnerships with the SC Bar and the SC Bar Pro Bono Program, the Access to Justice Commission, SC Legal Services, and other agencies (governmental or otherwise) who can provide legal advocacy for the target population.

### Areas of Legal Services

Health Care  
Long Term Care  
Nutrition  
Housing  
Utilities  
Protective Services  
Guardianship/Defense  
Against Guardianship  
Abuse  
Neglect  
Age Discrimination

For additional information, go to  
[www.aging.sc.gov](http://www.aging.sc.gov)

### Law Enforcement and Victim Advocate Outreach Initiative

DCVC is collaborating with the 6th Judicial Circuit for the next Law Enforcement and Victim Advocate training series. As a result of our collaboration, the following agencies are scheduled for training.

- Chester County Sheriff's Office - January 29, 2020
- Chester Police Department - January 29, 2020
- Fairfield County Sheriff's Office - February 4, 2020 and February 6, 2020
- Winnsboro Department of Public Safety - February 25, 2020

DCVC will continue on an ongoing basis to track and monitor the impact of the training.

### Victim/Witness Intimidation Professional Development Training Series

DCVC held its 2nd Annual Professional Development Training Series on Victim Witness Intimidation Tuesday, September 17, 2019 in Spartanburg, SC. This event was held at the Spartanburg County Public Library, and was co-sponsored by the 7th and 13th Judicial Circuit Solicitors' Offices and the Spartanburg County Sheriff's Office.

There were 97 registered participants and 77 in attendance. Victim Service Providers received 5.50 VSP hours, Attorneys 5.66 CLE hours and Law Enforcement 5.0 CLEE hours.

## Community Outreach Services

### Department of Crime Victim Compensation (DCVC)

The majority of participants felt the training met their needs and they would be able to apply what they learned on their jobs.

Some of the things participants liked the most about the training are noted below:

- Informative & Resourceful
- Examples & Scenarios
- Audience Interaction
- Case Discussions
- Networking & Collaboration

This event was a great success!

DCVC will work over the next several months to coordinate the 3rd Annual Professional Development training series to be held in Columbia, SC in the fall of 2020! The date, location and topic will be forthcoming! Stay Tuned!

### Georgetown County Victim Service Fair

DCVC continues to make progress with the advocates and service providers of Georgetown County regarding the next Victim Service Fair.

Please note below the progress made for this event thus far:

- **Save The Date:** Thursday, May 14, 2020 - (4:00pm-6:00pm)
- **Location:** Georgetown County Courthouse - 401 Cleland Street, Georgetown, SC 29442

**Please note, all items at the event will be free to participants in attendance.**

The committee will be working together to invite a number of vendors to participate in this great event! If you think you would like to participate as a vendor, please email Ethel Douglas Ford at [eford@scag.gov](mailto:eford@scag.gov). Stay tuned for additional information!

### Georgetown County Victim Service Fair



- Advocates for Stronger Rights, Protections, and Services for Crime Victims
- Provides Education, Training and Evaluation
- Serves as a Trusted Source of Current Information on Victims' Issues

## Department of Crime Victim Compensation (DCVC)

The following is a list of upcoming DCVC training events.

### Upcoming Training and Events:

- **January 6, 2020** - Safe Harbor, Easley, SC  
(Location not confirmed)
- **January 24, 2020** - Sexual Trauma of the Midlands, Columbia, SC
- **January 29, 2020** - Chester County Sheriff's Office and Chester Police Department - Chester, SC
- **February 4, 2020** - Fairfield County Sheriff's Office - Winnsboro, SC
- **February 6, 2020** - Fairfield County Sheriff's Office - Winnsboro, SC
- **February 20, 2020** - Julie Valentine Center, Greenville, SC
- **February 25, 2020** - Winnsboro Department of Public Safety - Winnsboro, SC
- **March 31, 2020 - April 2, 2020** - SC Victims' Rights Week Conference. For additional information, go to <http://www.scvan.org>
- **May 12, 2020** - Pee Dee Coalition Victim Service Meeting Hartsville, SC
- **May 14, 2020** - Georgetown County Victim Services Fair, Georgetown, SC
- **June 2, 2020** - DCVC Basic Core Training for SCCADVASA. For additional information call 803-256-2900 or visit <http://www.sccadvasa.org>
- **August 25, 2020** - DCVC Basic Core Training for SCCADVASA. For additional information call 803-256-2900 or visit <http://www.sccadvasa.org>

- **November 17, 2020** - DCVC Basic Core Training for SCCADVASA. For additional information call 803-256-2900 or visit <http://www.sccadvasa.org>

**DCVC is in the process of coordinating future training events statewide! Stay tuned!**



## Appealing a Claim Denied by DCVC

by Deputy Director D. Scott Beard

## Department of Crime Victim Compensation (DCVC)

(continued from page 4)

The claimant is allowed to have an attorney represent them during the appeal process. The Advisory Board then holds an informal Administrative Appeal hearing in which witnesses testify and answer questions about the facts of the claim and the appeal.

The Advisory Board can affirm the decision of the DCVC staff, or reverse their decision. If the Advisory Board reverses the decision, they may reduce the award if they so choose. The decision of the Advisory Board is final.







What are some of the services DCVC may consider?

- Medical
- Dental - Fee schedule applied
- Eyeglasses - Frames - \$125 Maximum
- Funeral - Maximum - \$6,500
- Mileage - Must be 5 miles one way
- Medication - Must be based on victimization

DCVC must receive valid documents for payment consideration.

**DCVC is payer of Last Resort**

For additional information, go to [www.sova.sc.gov](http://www.sova.sc.gov)

What are some of the services DCVC may not consider?

- Crime Scene Clean up
- Property Loss/Damage
- Property Replacement
- Pain and Suffering
- Child Support
- Vehicles
- Grocery/Meals
- Rent/Mortgages
- Baby Sitting
- Utilities

Although DCVC may not be able to assist with the services noted above, SCVAN may be considered a referral for emergency assistance for crime victims. Advocates may reach SCVAN at 803-750-1200 or go to [www.scvan.org](http://www.scvan.org)

## Department Updates cont.

by Deputy Director Kim Hamm

### Department of Crime Victim Services Training, Provider Certification, and Statistical Analysis (CVST)

(continued from page 3)

The Victim Services Coordinating Council (VSCC) and the Department of Crime Victim Services Training, Provider Certification, and Statistical Analysis hosted a free basic core VSP training in Newberry, SC on November 6-8, 2019.

What participants had to say about the training:

*"Comprehensive. Covered everything to get a new victim advocate started."*

*"Learned a lot of helpful information about what is available to victims"*

*"Very good sessions"*

*"So helpful and useful in my job!"*



*VSP Basic Core Training Class, November 2019*

We will be offering this training again in 2020. Check our website, [cvst.scag.gov](http://cvst.scag.gov), for updates.

From all of our staff at the Department of Crime Victim Services Training, Provider Certification, and Statistical Analysis,

we thank you for your continued dedication to serving victims and we wish you a prosperous 2020.



# Happy Holidays!



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